

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

Case No. 2:22-cv-00642-JPS

PREPARED FOOD PHOTOS, INC. f/k/a
ADLIFE MARKETING &
COMMUNICATIONS CO., INC.,

Plaintiff,

v.

SHARIF JABER d/b/a FOOD TOWN MART,

Defendant.

AFFIDAVIT OF SERVICE

Daniel DeSouza, Esq., being first duly sworn upon oath, does hereby state and affirm as follows:

1. I am counsel of record for plaintiff Prepared Food Photos, Inc. f/k/a Adlife Marketing & Communications Co., Inc. in this lawsuit.
2. I am over the age of 18 and competent to sign this affidavit and could offer competent testimony in court under penalty of perjury.
3. To the best of my knowledge, Plaintiff has complied with WI. Stat. § 108.0504 to effectuate service on defendant Sharif Jaber d/b/a Food Town Mart ("Defendant").
4. Plaintiff filed its Amended Complaint on August 23, 2022. See D.E. 9.
5. On August 24, 2022, a summons was issued as to Defendant.
6. Plaintiff attempted to effectuate service on Defendant. Plaintiff's process server went to Defendant's address and left a slip call. Defendant then called the process server and said he would not accept service. The process server attempted service six (6) times, but Defendant refused to answer

the door or come outside his house. The Affidavit of Non-Service, detailing the process server's efforts to directly serve Defendant, is attached hereto as **Exhibit "A."**

7. Plaintiff used due diligence to effectuate service, as he made diligent inquiry and exerted an honest and conscientious effort appropriate to the circumstances to acquire the information necessary to effectuate personal service. However, Defendant could not with reasonable diligence be served.

8. Pursuant to WI. Stat. § 108.0504, Defendant may be served by registered or certified mail, return receipt requested, or by similar delivery service, addressed to the corporation at its principal office, as shown on the records of the department on the date of sending.


9. Plaintiff served Defendant pursuant to the above statute via FedEx (Tracking # 7703 8198 1429). Both the Summons and Amended Complaint were sent to Defendant on November 2, 2022.

10. Pursuant to WI. Stat. § 108.0504, "[s]ervice is perfected under this subsection at the earliest of the following: (a) The date on which the corporation receives the mail or delivery by the commercial delivery service; (b) The date shown on the return receipt, if signed on behalf of the corporation; (c) Five days after it is deposited in the U.S. mail, or with the commercial delivery service, if mailed postpaid and correctly addressed and with sufficient postage or payment."

11. Defendant received the delivery from the commercial delivery on November 4, 2022. A true and correct copy of the tracking information is attached hereto as **Exhibit "B"**.

12. Plaintiff has properly effectuated service on Defendant pursuant to WI. Stat. § 108.0504.

FURTHER AFFIANT SAYETH NAUGHT.



PRINT NAME: Daniel DeSouza

Sworn to and subscribed before me this 1st day of
December, 2022.



NOTARY PUBLIC, STATE OF FLORIDA

Hali Thomas

Printed Name of Notary Public

My Commission Expires:

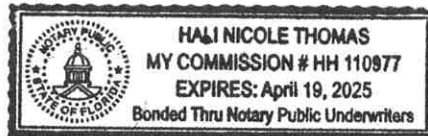


EXHIBIT “A”

AFFIDAVIT OF NON-SERVICE

Case: 2:22-cv-00642-JPS	Court: United States District Court Eastern District of Wisconsin	County:	Job: 7567836
Plaintiff / Petitioner: Prepared Food Photos, Inc.		Defendant / Respondent: Sharif Jaber, d/b/a Food Town Mart	
Received by: First Legal Process of Wisconsin LLC		For: South Shore Process Service	
To be served upon: Sharif Jaber, d/b/a Food Town Mart			

I, Alexis Majors, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

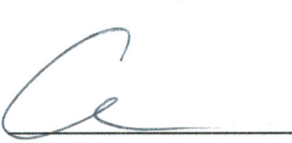
Recipient Name / Address: Sharif Jaber, d/b/a Food Town Mart, Home: 2041 E Drexel Ave, Oak Creek, WI 53154

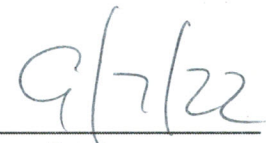
Manner of Service: Non-Service

Documents: Summons and Complaint

Additional Comments:

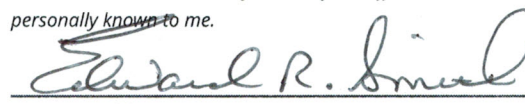
- 1) Unsuccessful Attempt: Aug 27, 2022, 9:51 am CDT at Home: 2041 E Drexel Ave, Oak Creek, WI 53154
Two story one family home. Boy standing on porch states that defendant lives here but is not home at this time. He states defendant should be home in an hour or two. Left delivery notice with him.
- 2) Unsuccessful Attempt: Aug 27, 2022, 11:19 am CDT at Home: 2041 E Drexel Ave, Oak Creek, WI 53154
Received call from defendant at 414-333-2270. Defendant states he will not accept documents and then hung up the phone.
- 3) Unsuccessful Attempt: Aug 28, 2022, 8:40 pm CDT at Home: 2041 E Drexel Ave, Oak Creek, WI 53154
No answer at door. Cannot see inside of home. No activity
- 4) Unsuccessful Attempt: Aug 30, 2022, 8:36 am CDT at Home: 2041 E Drexel Ave, Oak Creek, WI 53154
No answer at door. No activity.
- 5) Unsuccessful Attempt: Sep 2, 2022, 2:45 pm CDT at Home: 2041 E Drexel Ave, Oak Creek, WI 53154
Woman answered door and states defendant is not home at this time. She called the defendant and the defendant told her and his spouse to not accept documents and that he wanted to accept them himself.
- 6) Unsuccessful Attempt: Sep 6, 2022, 3:20 pm CDT at Home: 2041 E Drexel Ave, Oak Creek, WI 53154
Spoke to man in driveway sitting in car who states defendant is not home right now and is currently at the store. He states defendant told everyone in the house to not accept documents and he states he will not accept documents for defendant. Defendant appears to be avoiding, he has not showed up for his appointment. After due diligence the defendant was unable to be served.


Alexis Majors


Date

First Legal Process of Wisconsin LLC
4226 S. Pennsylvania Ave
St. Francis, WI 53235
4147043885

Subscribed and sworn to before me by the affiant who is personally known to me.


Notary Public
9/7/2022
Date

Commission Expires 9/11/2024

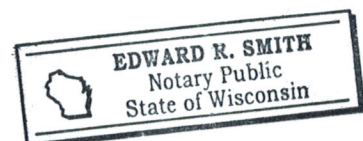


EXHIBIT “B”



Shipping

Tracking

Design & Print

Locations

Support

Sign Up or Log In



FedEx® Tracking

Track Another Shipment Help

DELIVERED

Friday

11/4/2022 at 12:38 pm

Signature not required

Package delivered to recipient address

Obtain Proof of delivery

How was your delivery?



DELIVERY STATUS

Delivered



Want updates on this shipment? Enter your email and we will do the rest!

YOUR EMAIL

SUBMIT

Manage Delivery

TRACKING ID

7703 8198 1429



FROM

Coral Springs, FL US

Label Created

11/2/2022 12:54 PM

PACKAGE RECEIVED BY FEDEX

RIVIERA BEACH, FL

11/2/2022 5:08 PM

IN TRANSIT

MILWAUKEE, WI

11/4/2022 7:36 AM

OUT FOR DELIVERY

MILWAUKEE, WI

11/4/2022 8:08 AM

DELIVERED

OAK CREEK, WI US

DELIVERED

11/4/2022 at 12:38 PM

View travel history

Shipment facts

Shipment overview

TRACKING NUMBER	7703 8198 1429
DELIVERED TO	Residence
SHIP DATE	11/2/22
STANDARD TRANSIT	11/4/22 before 8:00 pm
ACTUAL DELIVERY	11/4/22 at 12:38 pm

Services

SERVICE	FedEx 2Day
TERMS	Shipper
SPECIAL HANDLING SECTION	Deliver Weekday, Residential Delivery

Package details

TOTAL PIECES	1
PACKAGING	FedEx Envelope

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Travel history

SORT BY DATE/TIME

Ascending

TIME ZONE

Local Scan Time

Wednesday, 11/2/2022	12:54 PM	Shipment information sent to FedEx	
	5:08 PM	Picked up	RIVIERA BEACH, FL
	5:22 PM	Shipment arriving On-Time	RIVIERA BEACH, FL
	8:21 PM	Left FedEx origin facility	RIVIERA BEACH, FL
Thursday, 11/3/2022	12:45 AM	Arrived at FedEx hub	MEMPHIS, TN
	12:59 AM	Shipment arriving early	MEMPHIS, TN
	3:49 PM	Departed FedEx hub	MEMPHIS, TN
	4:06 PM	Shipment arriving On-Time	MEMPHIS, TN
	5:16 PM	At destination sort facility	MILWAUKEE, WI
Friday, 11/4/2022	7:36 AM	At local FedEx facility	MILWAUKEE, WI
	8:08 AM	On FedEx vehicle for delivery	MILWAUKEE, WI
	12:38 PM	Delivered Package delivered to recipient address - release authorized	OAK CREEK, WI

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Watch list

You do not currently have any Watch list shipments.

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